

Appl. No. 10/687,219
Amdt. dated June 27, 2007
Reply to Office Action of March 27, 2007

PATENT

Amendments to the Drawings:

The attached sheet of drawings includes changes to FIG. 3. This sheet, which includes FIG. 3 replaces the original sheet including FIG. 3.

Attachment: Replacement Sheet
Annotated Sheet Showing Changes

REMARKS/ARGUMENTS

Claims 1-25 are pending in this Application.

Claims 1 and 6 are currently amended. Applicants submit that support for the claim amendments can be found throughout the specification and the drawings.

Claims 1-25 remain pending in the Application after entry of this Amendment. No new matter has been entered.

In the Office Action, the drawings are objected to as failing to comply with 37 C.F.R. § 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: 300. The disclosure stands objected to because it allegedly contains an embedded hyper link and/or other form of browser-executable code. The disclosure further stands objected to because of the following informalities: ¶0036 last line should read, “AMM 102 includes an action determiner 302, an information storer 304, a message communicator 305, and a message generator 306.”

Claim 6 stands rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Claims 1, 3-8, 11-17 and 19-22 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Application Publication No. 2001/0056508 to Arneson et al. (hereinafter “Arneson”) filed on 5/11/2001 and published on 12/27/2001. Claims 2, 9, 10, 18, 23-25 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Arneson, in view of U.S. Patent Application Publication No. 2001/0027472 to Guan (hereinafter “Guan”) filed on 3/26/2001 and published on 10/4/2001.

Objections to the Drawings

Applicants respectfully request reconsideration and withdrawal of the objections to the drawings. In the Office Action, the Examiner objected to the drawings as failing to include the reference number 300 mentioned in the specification. Applicants have amended FIG. 3 to include the reference number 300.

Objections to the Specification

The Office Action objected to the specification because it contains an embedded hyperlink. However, upon review of M.P.E.P. § 608.01(VII), Applicants respectfully note that where the hyperlinks and/or other forms of browser-executable codes themselves, rather than the contents of the site to which the hyperlinks are directed, are part of applicant's invention and it is necessary to have them included in the patent application in order to comply with the requirements of 35 U.S.C. § 112, first paragraph, and applicant does not intend to have these hyperlinks be active links, Examiners should not object to these hyperlinks. In the specification, the embedded hyperlink is part of Applicants' invention (e.g., the identifier "2" corresponds to the URL "<http://www.quote.com>" in the stored information. [emphasis added]). Applicants do not intend the hyperlinks to be active links.

The Office Action further objected to the disclosure because of informalities. In light of the amendments to the specification and the discussion above, Applicants respectfully request reconsideration and withdrawal of the objections to the specification.

Claim Rejections Under 35 U.S.C. § 112, Second Paragraph

Applicants have amended claim 6 to correct a typographical error. Amended claim 6 now depends on claim 5. Applicants respectfully request reconsideration and withdrawal of the rejections to claim 6 in light of the above amendments.

Claim Rejections Under 35 U.S.C. § 102(b)

Applicants respectfully traverse the rejections to claims 1, 3-8, 11-17 and 19-22 and request reconsideration and withdrawal of the rejections under 35 U.S.C. § 102(b) based on Arneson.

Applicants respectfully note that to anticipate a pending claim, a prior art reference must provide, either expressly or inherently, each and every limitation of the pending claim. (M.P.E.P. § 2131).

The Office Action alleges that Arneson teaches or suggests all of the claim limitations of claims 1, 3-8, 11-17 and 19-22. However, based on the arguments presented

below, Applicants respectfully submit that Arneson fails to teach or suggest at least one of the claim limitation recited in each of claims 1, 3-8, 11-17 and 19-22.

Claim 1

Claim 1 recites a method for messaging with devices in order to determine one or more actions to perform, the method comprising:

storing information for a message, the stored information comprising action information corresponding to the one or more actions;

sending a message to a device including a message identifier and one or more action identifiers corresponding to the one or more actions;

receiving a response message from the device, the response message including an action identifier in the one or more action identifiers and the message identifier;

determining the stored information using the message identifier;

determining action information in the stored information corresponding to an action in the one or more actions using the action identifier; and

performing the action using the action information.

Applicants respectfully submit that Arneson fails to teach or suggest each and every claim limitation recited in claim 1.

Arneson is directed to providing messaging services to consumers that notify the consumers of certain events the consumer is interested in. For example, the consumer may be notified of an event by a message sent to his or her communications device, such as a wireless digital phone. If the user requested to be notified of the event message, a notification system generates a message and assigns a claim check, from a poll of claim checks, to the event message. In one embodiment, the claim check is a phone number which may be used to contact the notification system to retrieve the event message. If the user presses the appropriate key, the wireless device contacts the notification system by dialing the number specified by the claim check. The notification system in Arneson then verifies the user, retrieves the appropriate event message, and reads the event message to the user.

Thus, Applicants respectfully submit that the process of notifying a user of an event in Arneson is substantially different from the method for messaging with devices in order to determine one or more actions to perform as recited in claim 1. In contrast to Arneson, claim 1 recites that a response message is received from a device. The response message recited in claim 1 includes both an action identifier and the message identifier. The action identifier recited in claim 1 is one of one or more action identifiers corresponding to one or more actions previously sent to the device in a message. Stored information is determined using the message identifier. Action information in the stored information corresponding to an action is determined using the action identifier. The action is performed using the action information.

In the Office Action, the Examiner makes the following associations between features of claim 1 and alleged teachings of Arneson:

- determining action information in the stored information corresponding to an action in the one or more actions using the action identifier $\leftarrow \rightarrow$ Paragraph [0012] of Arneson
- an action identifier $\leftarrow \rightarrow$ the claim check of Arneson

The Examiner appears to allege that the process in Arneson of receiving a call to one of the claim check numbers, verifying the calling wireless device number to authenticate the calling user, and retrieving the appropriate event message as disclosed in paragraph [0012] of Arneson teaches or suggests the above-recited feature of determining action information in the stored information corresponding to an action in the one or more actions using the action identifier as recited in claim 1. Applicants respectfully disagree.

In paragraph [0012], Arneson disclose that subsequent to receiving a call to a telephone number indicated by a claim check sent to a user, the notification system of Arneson retrieves the corresponding event message. Thus, Arneson merely discloses in paragraph [0012] that the claim check is used to retrieve the contents of a message. Determining the contents of a message as in Arneson is substantially different from determining action information in stored information corresponding to an action in the one or more actions using an action identifier as recited in claim 1.

Moreover, FIG. 7 of Arneson illustrates that the notification system receives the claim check in step 712, verifies the user, and accesses the event in step 716. Arneson simply discloses that the accessed event is read to the user or transmitted to the user's device. (Arneson: Paragraph [0087]). However, unlike reading or transmitting the contents of an event message in Arneson, the action information determined using the action identifier recited in claim 1 corresponds to an action in one or more actions specified in stored information. The event message is Arneson is merely information about an event in which a consumer is interested. (Arneson: Paragraph [0008]). Retrieving interesting content for a user in Arneson does not teach or suggest determining action information corresponding to an action as recited in claim 1.

Accordingly, Applicants respectfully submit that Arneson does not teach or suggest determining action information using an action identifier as recited in claim 1 through the operation of the notification system retrieving message contents using the claim check.

In the Office Action, the Examiner also makes the following associations between features of claim 1 and alleged teachings of Arneson:

- performing the action using the action information ← → Paragraphs [0012] and [0087] of Arneson

The Examiner appears to allege that the process in Arneson of retrieving an event message, and either reading the event message to the user as disclosed in paragraph [0012], or the transmitting the event message to the user as disclosed in paragraph [0087] teaches or suggests the above-recited feature of performing an action using action information as recited in claim 1. Applicants respectfully disagree.

Arneson merely discloses in paragraph [0012] that if a user calls the notification system using a phone, the event message is read to the user and the user hears the message over the phone. Arneson further discloses in paragraph [0087] that the notification system the user may hear the event message, if a user utilized a computer to contact the notification system, the event message is transmitted can be displayed on the computer. However, Arneson does not teach or suggest that the claim check determines the actions in Arneson of reading the event message to the user or transmitting the event message for display to the user as the action identifier in the response message as recited in claim 1. The manner in which the contents of the

event message is conveyed to the user in Arneson is related to the device the user employs to contact the notification system, rather than performing an action using action information as recited in claim 1.

Accordingly, Applicants respectfully submit that Arneson fails to teach or suggest performing an action using action information as recited in claim 1 through the operation of the notification system reading or transmitting message contents to a user based on how the user's connecting device.

In light of the above, Applicants respectfully submit that Arneson fails to teach or suggest the remaining limitations recited in claim 1. Accordingly, Arneson fails to teach or suggest each and every claim limitation recited in claim 1. Thus, Applicants respectfully submit that claim 1 is allowable over the cited references.

Claims 2-25

Applicants respectfully submit that independent claims 8, 15, and 21 are allowable for at least a similar rationale as discussed above for the allowability of claim 1, and others. For example, in regard to claim 8, the Office Action alleges that stored information is determined using information specifying the desired action received in a text message. The Office Action again compares the information specifying the desired action received in the text message recited in claim 8 to the claim check of Arneson. However, as discussed above, the claim check of Arneson merely allows the notification system to retrieve the contents of the message as the claim check is sent as a result of the notification function of Arneson. Moreover, the event message is read or transmitted to the user based on the communications interface used to contact the notification system, rather than in response to the claim check of Arneson, as the information specifying the desired action received in the text message recited in claim 8. Furthermore, merely prompting the user for other options does not explicitly or inherently teach or suggest that the users response to the prompts provides information specifying the desired action received in the text message recited in claim 8.

Applicants respectfully submit that dependent claims 2-7, 9-14, 16-20, and 22-25 that depend directly and/or indirectly from the independent claims 1, 8, 15, and 21 respectively,

are also allowable for at least a similar rationale as discussed above for the allowability of the independent claims. Applicants further respectfully submit that the dependent claims recite additional features that make the dependent claims allowable for additional reasons.

In light of the above, Applicants respectfully traverse the rejections to claims 2, 9, 10, 18, and 23-25 and request reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) based on Arneson, in view of Guan.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,

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